

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No.	EDCV 14-650-CJC (KK)	Date	April 13, 2015
Title	TYRONE SMITH V. HASSAIN SAHLOLBEI, et al.		

Present: The Honorable	Kenly Kiya Kato, United States Magistrate Judge
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Deb Taylor

None

None

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiff:

Attorneys Present for Defendants:

None Present

None Present

**Proceedings:**            **(In Chambers) Order for Defendant Sahlolbei to Show Cause For Failure to File Responsive Pleading**

On August 28, 2014, Plaintiff Tyrone Smith, proceeding *in forma pauperis* and *pro se*, filed a Second Amended Complaint pursuant to 42 U.S.C. § 1983. (ECF Docket No. (“Dkt.”) 17). The Second Amended Complaint asserts an Eighth Amendment claim against three defendants: (1) Dr. Hassain Sahlolbei; (2) Dr. Scott Lee; and (3) Dr. Joyce Jordan. (*Id.*).

On September 5, 2014, the Court ordered that the U.S. Marshal serve the Second Amended Complaint and a 21-day summons on all of the defendants, at addresses designated by the Plaintiff. (Dkt. 16).

On March 19, 2015, the U.S. Marshal filed a “Process Receipt and Return” form notifying the Court it served the Second Amended Complaint and summons on defendant Sahlolbei at the address designated by Plaintiff on March 5, 2015. (Dkt. 28). As of the date of this Order, defendant Sahlolbei has failed to file any responsive pleading.

Under Federal Rule of Civil Procedure 12(a)(1)(A)(i), a defendant must file a responsive pleading within 21 days after being served with a summons and complaint. Fed. R. Civ. P. 12(a)(1)(A)(i). Here, defendant Sahlolbei has failed to file a responsive pleading within 21 days of the date of service.

Accordingly, defendant Sahlolbei is **ORDERED TO SHOW CAUSE**, in writing, why he has failed to file a responsive plading. Defendant Sahlolbei shall have up to and including **April 27, 2015** to respond to this Order. Defendant Sahlolbei is cautioned that

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his failure to timely file a response to this Order may result in the entry of default, pursuant to Federal Rule of Civil Procedure 55(a).